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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,711	11/12/2003	Guillaume Cassin	LOREAL 3.0-046; OA02360/E	9477
530 7590 07/27/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER FUBARA, BLESSING M	
			ART UNIT	PAPER NUMBER
			1618	
			MAIL DATE	DELIVERY MODE
			07/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10706711 OA02360/E	11/12/03	CASSIN, GUILLAUME	LOREAL 3.0-046;

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

Blessing M.. Fubara

ART UNIT	PAPER
1618	20070723

DATE MAILED:

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 5/10/07 is not fully responsive to the prior Office action because applicant was requested to elect a single disclosed species for prosecution on the merit by identifying all the claims that are readable on the species. Examiner thanks applicant for electing with traverse an amphiphilic polymer having formula III with $R_1 = H$ and $R_2 = C_{10}-C_{30}$. Applicant further elected an interpenetrating polymer network (IPN) with traverse. Further also applicant identified claim 1, 2 and 4-46 as readable of the "selection." However, this election and identification of the claims is not fully responsive to the election requirement as follows:

- R_2 of formula III, claim 10, goes from 12-22 carbon atoms and does not exceed 22, while applicant has elected for prosecution R_2 that goes from 10 to 30 carbon atoms.
- Acrylic polymer that satisfies claim 14 would be different from formula III.
- Election of amphiphilic acrylic polymer excludes hydrophobic AMPS derivative recited in claim 15, which applicant indicated as readable on the elected acrylic polymer of Formula III as is evidenced by claim 16.
- The same issue as identified in c) occurs with claims 17-22

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

It respectfully requested of applicant to elect/identify the claims that are readable on the elected species.